

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	CRIMINAL NO.:_____
	:	
v.	:	DATE FILED:_____
	:	
	:	VIOLATION: 18 U.S.C. §1344
	:	(Bank Fraud - 2 counts);
THELMA CARTER	:	18 U.S.C. § 1341
	:	(Mail fraud - 1 count)
	:	Notice of Forfeiture

**I N D I C T M E N T**

**COUNT ONE**

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment:

1. Defendant THELMA CARTER was employed as a receptionist, office manager and bookkeeper for Daley & Jalboot, a professional architectural firm located in Philadelphia, Pennsylvania. In these varied capacity, defendant THELMA CARTER was responsible for invoicing, payroll, accounts payable, accounts receivables and handling the office mail. She also maintained Daley & Jalboot's general ledger.
2. Corestates Bank (now known as First Union Bank) was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation.
3. From on or about February 13, 1998, and continuing until on or

about April 27, 1999, in the Eastern District of Pennsylvania and elsewhere, defendant

**THELMA CARTER**

knowingly executed and attempted to execute a scheme to defraud Corestates Bank and to obtain monies owned by and under the care, custody and control of Corestates Bank by means of false and fraudulent pretenses, representations and promises.

**THE SCHEME**

It was part of the scheme that:

4. Defendant THELMA CARTER, in her capacity as receptionist, office manager and bookkeeper for Daley & Jalboot, fraudulently wrote, without the authority of the owners, Daley & Jalboot business checks totaling approximately \$302,845.01. Defendant Carter made these checks payable to herself and then forged the name of the business owners as makers of the checks on the checks' signature line.

5. To conceal evidence of her fraud scheme, defendant THELMA CARTER manipulated the computer software and hardware of Daley & Jalboot so that Daley & Jalboot's check register showed that the checks that defendant THELMA CARTER had written to herself had been made payable to legitimate consultants and associates of Daley & Jalboot.

6. To prevent the owners of Daley & Jalboot from discovering her fraud scheme, defendant THELMA CARTER removed the cancelled checks from the periodic statements sent to Daley & Jalboot by the bank, thus preventing Daley & Jalboot from learning about her fraud scheme.

7. Defendant THELMA CARTER deposited into her bank account the fraudulently prepared checks, and Corestates Bank removed approximately \$229,155.51 from Daley & Jalboot's account based on the forged checks presented for payment. Defendant THELMA CARTER later withdrew the fraudulently obtained funds from her account.

In violation of Title 18, United States Code, Section 1344.

**COUNT TWO**

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 4 through 6 of Count One are incorporated here.
2. At all times material to this indictment, FirstTrust Bank was a financial institution the deposits of which were insured by the Federal Deposit Insurance Corporation.
3. From on or about May 28, 1999, and continuing through until on or about September 16, 1999, in the Eastern District of Pennsylvania, and elsewhere, defendant

**THELMA CARTER**

knowingly executed and attempted to execute a scheme to defraud FirstTrust Bank and to obtain monies owned by and under the care, custody, and control of FirstTrust Bank by means of false and fraudulent pretenses, representations and promises, that is, by fraudulently preparing Daley & Jalboot checks totaling approximately \$ 73,689.60 and forging the name of the principals of this firm as maker of the checks, and by depositing the checks into her personal bank account which caused FirstTrust Bank to remove these funds from Daley & Jalboot's account based on the forged checks presented for payment, and by defendant Thelma Carter withdrawing these funds from her account.

In violation of Title 18, United States Code, Section 1344.

**COUNT THREE**

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 4 through 6 of Count 1 are incorporated here.

## **THE SCHEME**

2. On or about February 25, 2000, in the Eastern District of Pennsylvania, and elsewhere, defendant

### **THELMA CARTER**

devised and intended to devise a scheme to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

It was part of the scheme that:

3. On or about February 25, 2000, defendant THELMA CARTER sent Daley & Jalboot a letter, after the bank fraud scheme had been completed, for the purpose of lulling Daley & Jalboot into believing that no fraud had occurred, postponing any complaint to law enforcement, and concealing the full amount of the fraud.

4. In or about September 1999, without authorization, defendant THELMA CARTER wrote checks numbers 8457 and 8599 payable to herself, on the business bank account of Daley & Jalboot. In February 2000, after defendant THELMA CARTER's employment ended and the accounts of Daley & Jalboot had been audited, defendant THELMA CARTER was asked by Daley & Jalboot to explain these checks.

5. On or about February 25, 2000, defendant THELMA CARTER prepared and sent, by United States Mail, a letter to Daley & Jalboot which offered an excuse as to why she prepared two payroll checks for the same period. In her letter she stated, in part, the following:

I received your letter yesterday and am enclosing a

check (#1057) in the amount of \$1,041 to cover check #8457.

I do not know why you nor Tom can recall me informing you about losing this check back in September. I informed both of you that I had endorsed this check for deposit and lost it. I th[e]n cut another check #8599, Tom signed it, and I deposited this check into my account.

I went to my bank today and check #8547 was never deposited into my account. Evidently someone found it and cashed it. PNC is investigating. I do take full responsibility for this and payment is enclosed.

6. On or about February 28, 2000, defendant THELMA CARTER sent a letter to Daley & Jalboot which she claimed that she had received from PNC Bank in Pittsburgh, Pennsylvania. This letter, which states that one of the two checks was “deposited into the account of an unknown third party,” was fraudulently prepared without authorization on PNC bank letterhead and the PNC employee who supposedly sent the letter does not exist.

7. On or about February 25, 2000, in the Eastern District of Pennsylvania, having devised and intending to devise the scheme, defendant

**THELMA CARTER**

for the purpose of executing the scheme and attempting to do so, knowingly caused to be delivered by mail according to the directions thereon, a letter from defendant THELMA CARTER to Daley & Jalboot Architects, 2314 Market Street, Philadelphia,

Pennsylvania, described in paragraph 5 above, which made false representations about checks she had fraudulently written on a Daley & Jalboot account and was accompanied by a personal check in the amount of \$1,041.04.

In violation of Title 18 United States Code, Section 1341.

#### **NOTICE OF FORFEITURE**

1. As a result of the violations of Title 18, United States Code, Section 1344, set forth in Counts One and Two of this Indictment, the defendant

THELMA CARTER

shall forfeit to the United States of America any property constituting, or derived from, proceeds obtained directly or indirectly as the result of the violations of Title 18, United States Code, Section 1344, as charged in this Indictment, including, but not limited to, the sum of \$ 302,845.01 which was deposited into:

PNC Bank Account # 8400522373  
Citadel Federal Credit Union Account # 355658

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:



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FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney